

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESLAM HASSAN,

Plaintiff,

-against-

CAPTAIN JANE DOE, et al.,

Defendants.
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No. 18-CV-11194 (RA) (OTW)

ORDER OF SERVICE

ONA T. WANG, United States Magistrate Judge:

Plaintiff, currently incarcerated at Sing Sing Correctional Facility, brings this *pro se* action under 42 U.S.C. § 1983, alleging violations of his federal constitutional rights while he was detained at the Anna M. Kross Center on Rikers Island. By order dated January 11, 2019, Plaintiff received permission to proceed *in forma pauperis* (“IFP”). (ECF 6). Because Plaintiff is proceeding IFP, he can rely on the Court and the U.S. Marshals Service to effect service. See *Walker v. Schult*, 717 F.3d 119, 123 (2d Cir. 2013); Fed. R. Civ. P. 4(c)(3) (requiring service by Marshals for IFP plaintiffs). After the Marshals attempted service on Defendant Dr. Sheree D. Givre pursuant to the Court’s initial order of service, the NYC Health + Hospitals refused to accept service. (ECF 13). On May 31, 2019, Plaintiff filed an Amended Complaint, re-naming Dr. Givre and adding Dr. Amanda Holland-Yang¹ as defendants. (ECF 22).

On July 24, 2019, Judge Abrams ordered the NYC Health + Hospitals to provide the last known addresses of Defendants Givre and Holland-Yang so as to effect service. (ECF 25). On July

¹ Although Plaintiff listed her as “Amanda Holland,” the City of New York has listed her name as Dr. Amanda Holland-Yang.

23, 2019, the City of New York provided the following service addresses for Defendants Givre and Holland-Yang:

Dr. Sheree Givre
NYC Health + Hospitals/Elmhurst
79-01 Broadway
Room E-6-5
Elmhurst, NY 11373

Dr. Amanda Holland-Yang
NYC Health + Hospitals/Elmhurst
79-01 Broadway
Room E-6-5
Elmhurst, NY 11373

Accordingly, to allow Plaintiff to serve Defendants Givre and Holland-Yang through the U.S. Marshals Service, the Clerk of Court is directed to issue a summons as to Defendants Givre and Holland-Yang and to prepare the necessary paperwork, including the U.S. Marshals Service Process Receipt and Return form (“USM-285 form”), for Defendants Givre and Holland-Yang. The Clerk is further directed to deliver all necessary paperwork to the U.S. Marshals Service for them to effect service upon Defendants Givre and Holland-Yang at the service addresses listed above.

Under Federal Rule of Civil Procedure 4(m), Plaintiff shall complete service of the summons and complaint within 90 days of the date the summons issues. Plaintiff must ensure timely service or request an extension of time if needed. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (noting that where the plaintiff relies on the Marshals to effect service, it is still the job of the plaintiff to request any extension of service deadlines). The Clerk of Court is

respectfully requested to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: January 14, 2020
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge